

2007 JAN -8 PM 4: 07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Ernest ARENAS et al.

Application No. 09/980,913

Filing Date: May 21, 2002

For: MATERIALS AND METHODS  
RELATING TO NEURONAL  
DEVELOPMENT

: Docket No. 0380-P02709US0

: Office of Finance Refund Branch

Commissioner for Patents  
Alexandria, Virginia 22313-1450

Certificate of Mailing Under 37 C.F.R. §1.8(a):

I hereby certify that this correspondence is being deposited on January 3, 2007 with the United States Postal Service as first-class mail in an envelope properly addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

  
Tina M. Doyle

REQUEST FOR REFUND

Dear Sir:

Applicants hereby request a refund of \$120.00 which should be credited to the deposit account of the undersigned attorneys, Deposit Account No. 04-1406. The request should be granted for the following reasons.

A final Official Action was issued in this application on April 19, 2006. A response to the final rejection was filed August 21, 2006 (as August 19 fell on a Saturday). The August 21, 2006 response was accompanied by a one-month extension of time, together with the required one-month extension fee of \$120.00. Copies of the cancelled check and petition for one-month extension of time are enclosed for your reference.

On October 19, 2006, a Pre-Appeal Brief Request and Notice of Appeal were

**In re the Application of Ernest ARENAS et al.**  
**Reexamination Control No. 09/980,913**  
**Docket No. 0380-P02709US0**

filed in this application. Since the first month extension fee of \$120 was already paid, the amount due would be the difference between the third month extension fee (\$1,020) and the first month extension fee (\$120) which would be \$900. The deposit account of the undersigned was charged the full three-month extension fee of \$1,020. A copy of the November, 2006 Deposit Account Statement is enclosed for your reference.

For the foregoing reasons, it is hereby requested that \$120 be credited to the Deposit Account No. 04-1406 to which it was originally charged.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN  
A Professional Corporation  
Attorneys for Applicants

By Patrick J. Hagan  
Patrick J. Hagan  
PTO Registration No. 27,643

January 3, 2006  
Customer Number 000110  
Tel.: 215-563-4100  
Fax: 215-563-4044  
e-mail: [phagan@ddhs.com](mailto:phagan@ddhs.com)

Enclosures: Copy of cancelled check #44562  
Copy of Petition for One-Month Extension of Time  
Copy of Deposit Account Statement dated November, 2006

**RESPONSE UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE**

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Ernest ARENAS et al.

Application No. 09/980,913

Filing Date: May 21, 2002

Entitled: MATERIALS AND METHODS  
RELATING TO NEURONAL DEVELOPMENT

: Examiner: Laura L. McGillem

: Group Art Unit: 1636

1601 Market Street, Suite 2400  
Philadelphia, PA 19103  
(215) 563-4100 (telephone)  
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[phagan@ddhs.com](mailto:phagan@ddhs.com) (email)

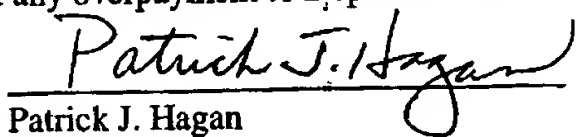
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Tina M. Doyle

**Petition for Extension of Time Under 37 C.F.R. §1.136(a):**

The undersigned hereby petitions for an extension of time of ONE (1) month beyond the time period set in the last Office Action. A check in the amount of \$120.00 to cover this fee is enclosed. Please charge any deficiency or credit any overpayment to Deposit Account No. 04-1406.

  
Patrick J. Hagan  
Attorney for Applicant(s)  
Registration No. 27,643

Box AF  
Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. §1.116**

Dear Sir:

Favorable reconsideration and allowance of claims 1-3 and 5-13 are respectfully requested for the reasons set forth in the following remarks.

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 120

## Complete if Known

Application Number 09/980,913  
Filing Date May 21, 2002  
First Named Inventor Ernest ARENAS  
Examiner Name Laura L. McGillem  
Art Unit 1636  
Attorney Docket No. 0380-P02709US0

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 04-1406 Deposit Account Name: DannDorfmanHerrellandSkil

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☐ Credit any overpayments

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## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXCESS CLAIM FEES

#### Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims Extra Claims Fee (\$) Fee Paid (\$)  
11 - 20 or HP = 0 x 0 = 0

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)  
1 - 3 or HP = 0 x 0 = 0

HP = highest number of independent claims paid for, if greater than 3.

Small Entity Fee (\$)	Fee (\$)
50	25
200	100
360	180

Multiple Dependent Claims  
Fee (\$) Fee Paid (\$)

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)  
- 100 = / 50 = (round up to a whole number) x =

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): One month extension of time

120

## SUBMITTED BY

Signature Patrick J. Hagan Registration No. 27,643 Telephone 215-563-4100  
Name (Print/Type) Patrick J. Hagan Date August 21, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## Deposit Account Statement

Requested Statement Month: November 2006  
 Deposit Account Number: 041406  
 Name: DANN DORFMAN HERRELL & SKILLMAN, P.C.  
 Attention: MARY JO MARCHEK  
 Address: 1601 MARKET STREET  
 City: PHILADELPHIA  
 State: PA  
 Zip: 19103-2307  
 Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
PJH 11/01	1	10451213	0380-P03230US0	1202	\$100.00	\$16
11/02	27	E-REPLENISHMENT		9203	\$9,000.00	\$25
VTD 11/03	1	10474993	0074-490270	1203	\$290.00	\$24
SHES 11/03	1514	1415856	0412-T03509US0	7205	\$100.00	\$24
11/03	1515	1415856	0412-T03509US0	7201	\$400.00	\$24
ILIS 11/07	1356	78486918	0064-T03522US00	7004	\$600.00	\$23
ILIS 11/07	1400	78374279	0064-T03387US00	7004	\$150.00	\$23
CHB 11/07	73	10127787	AI-TECH-32	1801	\$790.00	\$22
11/08	182	29260602	4365-P04033US0	2012	\$100.00	\$22
11/08	186	29260602	4365-P04033US0	2253	\$510.00	\$22
SHES 11/08	185	29260602	4365-P04033US0	2051	\$65.00	\$22
11/08	184	29260602	4365-P04033US0	2312	\$65.00	\$22
11/08	183	29260602	4365-P04033US0	2112	\$50.00	\$22
ILIS 11/08	145	6914433	1025-P03342US0	8021	\$40.00	\$21
11/08	1297	11568802	0380-P03416US	1631	\$300.00	\$21
11/08	1299	11568802	0380-P03416US	1633	\$200.00	\$21
KDR 11/08	1300	11568802	0380-P03416US	1615	\$1,300.00	\$20
11/08	1298	11568802	0380-P03416US	1632	\$500.00	\$19
SHES 11/08	349	6914433	1025-P03342US0	8021	\$40.00	\$19
KWJH 11/09	523	76578589	0091-T03432US00	7003	\$100.00	\$19
11/09	80	60735445	0074-ASHBY	8007	\$20.00	\$19
11/09	81	60735470	0074-ASHBY	8007	\$20.00	\$19
11/09	523	10561347	0008-CA323PCT/US	8021	\$40.00	\$19
11/09	556	11512468	3620-P04170US00	8021	\$40.00	\$19
11/09	5	10573123	0074-537949	8021	\$40.00	\$19
11/09	11392117		4570-P03620US01	8021	\$40.00	\$19
11/09	7886		0096-P03529EU02-405 STREA	8007	\$20.00	\$19

N/S	11/14	1652	77043334	2189-T03764US00	7001	\$975.00	\$11
VTP	11/14	540	60834700	0074-544469	8021	\$40.00	\$11
VTP	11/14	545	60839281	0074-547317	8021	\$40.00	\$11
RWH	11/15	25	79018962	LEO V. LEON FARMA	7402	\$900.00	\$11
	11/16	1488	PCT/US06/60924	CHOP.0267A-PCT	1601	\$300.00	\$11
	11/16	1490	PCT/US06/60924	CHOP.0267A-PCT	1701	\$1,008.00	\$11
KDR	11/16	1491	PCT/US06/60924	CHOP.0267A-PCT	1703	\$276.00	\$11
	11/16	1489	PCT/US06/60924	CHOP.0267A-PCT	1602	\$1,000.00	\$11
	11/16	1544	PCT/US06/60927	CHOP.0267B-PCT	1601	\$300.00	\$11
KDR	11/16	1546	PCT/US06/60927	CHOP.0267B-PCT	1701	\$1,008.00	\$11
	11/16	1547	PCT/US06/60927	CHOP.0267B-PCT	1703	\$288.00	\$11
	11/16	1545	PCT/US06/60927	CHOP.0267B-PCT	1602	\$1,000.00	\$11
	11/16	33	E REPLENISHMENT		9203	\$13,000.00	\$21
NH	11/16	7	10555916	0380-P03896US00	9204	-\$75.00	\$21
SHE	11/16	392	29260602	4365-P04033US0	8021	\$40.00	\$21
SHE	11/16	2250	11459133	0412-P03689US1	1051	\$130.00	\$21
	11/17	650	11560608	0241-P04211US0	1011	\$300.00	\$21
SHE	11/17	651	11560608	0241-P04211US0	1111	\$500.00	\$21
	11/17	652	11560608	0241-P04211US0	1311	\$200.00	\$21
	11/17	653	11560608	0241-P04211US0	1202	\$150.00	\$21
PSTH	11/17	1	09980913	0380-P02709US0	1253	\$1,020.00	\$21
SHE	11/20	113	77046749	0412-T03766US0	7001	\$325.00	\$21
RWH	11/20	134	77046753	0081-T03743US00	7001	\$325.00	\$21
	11/20	176	77046777	0081-T03744US00	7001	\$325.00	\$21
SHE	11/20	216	77046790	0412-T03767US0	7001	\$325.00	\$21
SHE	11/20	269	77046824	0412-T03768US0	7001	\$325.00	\$21
RWH	11/20	277	77046823	0081-T03748US00	7001	\$325.00	\$21
DRP	11/20	1222	60866327	0101-P04232US0	2005	\$100.00	\$21
KDR	11/21	23	11458974	CHOP0271US	4011	-\$75.00	\$21
	11/21	24	11458974	CHOP0271US	2111	-\$250.00	\$21
	11/21	25	11458974	CHOP0271US	2311	-\$100.00	\$21
	11/21	26	11458974	CHOP0271US	8026	\$130.00	\$21
KDR	11/21	595	11452821	3670-P03649US01	8021	\$40.00	\$21
RWH	11/21	2191	2407387	0240-T01538US00	7205	\$100.00	\$21
WHT	11/21	2259	2407388	0240-T01539US0	7205	\$100.00	\$21
	11/22	203	10161076		1253	\$1,020.00	\$11
DRP	11/22	204	10161076	0101-P02915US0	1801	\$790.00	\$11
	11/22	205	10161076		1808	\$130.00	\$11
HHS	11/22	257	2452741	0042-T02650US0	7205	\$100.00	\$11
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N/S	11/22	1274	78481405	0064-T03520US00	7004	\$150.00	\$11
	11/22	1284	78481394	0064-P03519US00	7004	\$150.00	\$11
	11/22	1291	78481387	0064-T03518US00	7004	\$150.00	\$11
SHE	11/24	1140	10987249	0096-P00842US6	2202	\$25.00	\$11
	11/24	1141	10987249	0096-P00842US6	2252	\$225.00	\$11
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PSTH	11/27	131	60840085	1282-P04176US00	8021	\$40.00	\$11



<i>PJH</i>	11/27	146	10504206	1282-P02812US01	8021	\$40.00	\$1:
<i>PWH</i>	11/28	162	77051241	0096-T03769US0	7001	\$325.00	\$1:
<i>DRP</i>	11/28	2521	09863234	WH5	1202	\$4,400.00	\$1:
<i>DRP</i>	11/28	2522	09863234	WH5	1203	\$360.00	\$1:
<u>11/28-30 E-REPLENISHMENT</u>							
<i>KDR</i>	11/28	3	10239608	0380-P02988US0	1251	\$120.00	\$2:
<i>SHE</i>	11/28	401	11459133	SHE -- 0412-P03689US1	8021	\$40.00	\$2:
<i>HIS</i>	11/29	1292	78373287	0064-T03378US00	7004	\$150.00	\$2:
<i>KDR</i>	11/29	1	10333895	0380-P03092US0	1202	\$200.00	\$2:
<i>KDR</i>	11/29	7	PCT/US06/19777	<i>4476-P04090 W000</i>	9204	-\$2,634.00	\$2:
<i>RWH</i>	11/30	1860	76580797	0081-T03442US00	7004	\$150.00	\$2:
<i>HIS</i>	11/30	2283	78294875	0080-T03311US00	7004	\$150.00	\$2:

START  
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SUM OF  
CHARGES  
\$26,770.00

SUM OF END  
REPLENISH BALANCE  
\$38,134.00 \$27,619.00

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01 FC:1253 1020.00 CR

01/25/2007 SFELEKE1 00000006 041406 09980913  
01 FC:1253 900.00 DA